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0000093781

Robert D. Mitchell, 011922
Julie M. Beauregard, 023093
MITCHELL & ASSOCIATES
A Professional Corporation
Viad Corporate Center, Suite 1715
1850 North Central Avenue
Phoenix, Arizona 85004
Telephone (602) 468-1411
Fax (602) 468-1311
robertmitchell@mitchell-attorneys.com
juliebeauregard@mitchell-attorneys.com
www.mitchell-attorneys.com

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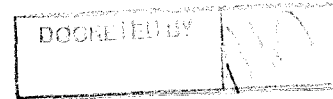
AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

FEB 17 2009

Counsel for Donald Robert Mattson, Jr.
(a/k/a Rob Mattson)



BEFORE THE ARIZONA CORPORATION COMMISSION

In the matter of:

Docket No. S-20649A-09-0013

JEFFRIE HARPER (CRD #2863910) (a/k/a Jeff Harper) and KATHLEEN JANICE HARPER, husband and wife;

DONALD ROBERT MATTSON JR. (a/k/a Rob Mattson) and JANE DOE MATTSON, husband and wife;

KNUCKLEBALL CAPITAL MANAGEMENT, LLC, an Arizona limited liability company;

Respondents.

**ANSWER OF RESPONDENT
DONALD ROBERT MATTSON TO
NOTICE OF OPPORTUNITY FOR
HEARING REGARDING PROPOSED
ORDER TO CEASE AND DESIST,
ORDER FOR RESTITUTION, FOR
ADMINISTRATIVE PENALTIES,
AND FOR OTHER AFFIRMATIVE
ACTION**

Respondent Donald R. Mattson Jr., a/k/a Rob Mattson, (hereinafter "Mr. Mattson" or "Respondent Mattson"), an unmarried man, by and through undersigned counsel herein answers or otherwise responds to the allegations of the Arizona Corporation Commission, Securities Division contained in the January 15, 2009, Notice of Opportunity for Hearing Regarding Proposed Order to Cease and Desist, Order for Restitution, for Administrative Penalties, and for other Affirmative

1 Action. Mr. Mattson herein specifically denies that he is engaged in any acts, practices, or
2 transactions that would constitute violations of the securities act of Arizona, A.R.S. § 44-1801, *et*
3 *seq.* ("Securities Act").

4 1. Answering paragraph one, Respondent Mattson admits that the Commission has
5 jurisdiction over matters pertaining to the Arizona Securities Act.
6

7 2. Answering paragraph two, Respondent Mattson is without knowledge or information
8 sufficient to answer said paragraph and therefore denies the same. On information and belief,
9 Respondent Jeffrie Harper is or was a resident of Maricopa County Arizona.

10 3. Answering paragraph three, Respondent Mattson is without sufficient knowledge or
11 information to answer said paragraph and therefore denies the same.
12

13 4. Answering paragraph four, Respondent Mattson is without sufficient knowledge or
14 information to answer said paragraph and therefore denies the same.

15 5. Answering paragraph five, Respondent Mattson is an unmarried individual residing
16 in Maricopa County, Arizona.

17 6. Answering paragraph six, Respondent Mattson denies said paragraph as Mr. Mattson
18 is, and was at all relevant times, an unmarried individual.

19 7. Answering paragraph seven, Respondent Mattson denies said paragraph and denies
20 that there is a Jane Doe Mattson.
21

22 8. Answering paragraph eight, Respondent Mattson admits that Knuckleball Capital
23 Management, LLC ("Knuckleball") is an Arizona limited liability company organized on or about
24 May 15, 2007. Mr. Mattson further admits that he and Respondent Harper are members of
25 Knuckleball along with Dwight E. Massey. Respondent Harper further avers that Paul McLemore
26 Sr. works with Respondent Harper and is the Statutory Agent of record for Knuckleball.
27
28

1 9. Paragraph nine contains no allegations to which Respondent Mattson need respond.

2 10. Paragraph ten contains no allegations to which Respondent Mattson need respond.

3 11. Paragraph eleven contains no allegations to which Respondent Mattson need respond
4 other than to deny that he is married and to deny that there is a Jane Doe Mattson.

5 12. Answering paragraph twelve, Respondent Mattson denies said paragraph as to
6 himself. Mr. Mattson denies that he offered or sold securities in the form of investment contracts
7 and/or commodity investment contracts ("Investments(s)"). Respondent Mattson never solicited
8 any such investments and is, therefore, without sufficient knowledge or information to respond to
9 the dollar amounts invested or the number of investors involved.
10

11 13. Answering paragraph thirteen, Respondent Mattson denies said paragraph as to
12 himself. As to any representations made to investors, Respondent Mattson is without sufficient
13 knowledge or information to respond.
14

15 14. Answering paragraph fourteen, Respondent Mattson denies said paragraph as to
16 himself and is without sufficient knowledge or information to respond to whether investor funds
17 were received by Knuckleball and pooled in a bank account. Respondent Mattson admits that there
18 was a bank account in the name of Knuckleball that was controlled both by Respondent Harper and
19 Respondent Mattson.
20

21 15. Answering paragraph fifteen, Respondent Mattson denies said paragraph as to
22 himself. As to what investors were told regarding who would do the trading, Respondent Mattson
23 is without sufficient knowledge or information to respond.

24 16. Answering paragraph sixteen, Respondent Mattson denies said paragraph as to
25 himself. As to what investors were told regarding returns on their investments, Respondent Mattson
26 is without sufficient knowledge or information to respond.
27
28

1 17. Answering paragraph seventeen, Respondent Mattson denies said paragraph as to
2 himself. As to any representations made to investors, Respondent Mattson is without sufficient
3 knowledge or information to respond.

4 18. Answering paragraph eighteen, Respondent Mattson denies said paragraph as to
5 himself. As to any failure to inform investors, Respondent Mattson is without sufficient knowledge
6 or information to respond.

7 19. Answering paragraph nineteen, Respondent Mattson denies said paragraph as to
8 himself. As to any representations made to investors, Respondent Mattson is without sufficient
9 knowledge or information to respond.

10 20. Answering paragraph twenty, Respondent Mattson denies said paragraph as to
11 himself.

12 21. Answering paragraph twenty-one, Respondent Mattson denies said paragraph as to
13 himself.

14 22. Answering paragraph twenty-two, Respondent Mattson denies said paragraph as to
15 himself. Respondent Mattson further avers that Respondent Harper along with other members of
16 Knuckleball also failed to disclose to him facts related to Respondent Harper's history involving
17 bankruptcy and/or voluntary resignation as a registered salesman.

18 a. Paragraph 'a' contains no allegations to which Respondent Mattson need
19 respond. Furthermore, Respondent Mattson denies having any knowledge or information related to
20 the statements contained therein.

21 b. Paragraph 'b' contains no allegations to which Respondent Mattson need
22 respond. Furthermore, Respondent Mattson denies having any knowledge or information related to
23 the statements contained therein.

1 23. Answering paragraph twenty-three, Respondent Mattson is without sufficient
2 knowledge or information to answer said paragraph and therefore denies the same.

3 24. Answering paragraph twenty-four, Respondent Mattson is without sufficient
4 knowledge or information to respond to any communications between any investors and
5 Respondent Harper and therefore denies paragraph twenty-four. Respondent admits only that he
6 had communications with one investor regarding the investor's \$50,000 investment.
7

8 25. Answering paragraph twenty-five, Respondent Mattson is without sufficient
9 knowledge or information to answer said paragraph and therefore denies the same.

10 26. Answering paragraph twenty-six, Respondent Mattson admits that he was not
11 registered with the Commission as a securities dealer or salesman, but is without sufficient
12 knowledge or information as to the other named Respondents.
13

14 27. Answering paragraph twenty-seven, Respondent Mattson is without sufficient
15 knowledge or information to answer said paragraph and therefore denies the same.

16 28. Answering paragraph twenty-eight, Respondent Mattson denies said paragraph as to
17 himself.

18 29. Answering paragraph twenty-nine, Respondent Mattson is without sufficient
19 knowledge or information to answer said paragraph and therefore denies the same.
20

21 30. Answering paragraph thirty, Respondent Mattson denies said paragraph.

22 31. Answering paragraph thirty-one, Respondent Mattson denies said paragraph as to
23 himself.

24 32. Answering paragraph thirty-two, Respondent Mattson denies said paragraph.

25 33. Answering paragraph thirty-three, Respondent Mattson denies said paragraph as to
26 himself.
27
28

1 a. Answering paragraph 'a', Respondent Mattson denies said paragraph as to
2 himself.

3 b. Answering paragraph 'b', Respondent Mattson denies said paragraph as to
4 himself. Respondent Mattson further avers that Respondent Harper along with other members of
5 Knuckleball also failed to disclose to him facts related to Respondent Harper's history involving
6 bankruptcy.
7

8 c. Answering paragraph 'c', Respondent Mattson denies said paragraph as to
9 himself. Respondent Mattson further avers that Respondent Harper along with other members of
10 Knuckleball also failed to disclose to him facts related to Respondent Harper's history involving his
11 voluntary resignation as a registered salesman.
12

13 d. Answering paragraph 'd', Respondent Mattson denies said paragraph as to
14 himself.

15 e. Answering paragraph 'e', Respondent Mattson denies said paragraph as to
16 himself.

17 f. Answering paragraph 'f', Respondent Mattson denies said paragraph as to
18 himself.

19 g. Answering paragraph 'g', Respondent Mattson denies said paragraph as to
20 himself.
21

22 34. Answering paragraph thirty-four, Respondent Mattson denies said paragraph.

23 35. Respondent Mattson denies each and every allegation not expressly admitted
24 herein.
25
26
27
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1 WHEREFORE, having fully answered the Notice of Opportunity for Hearing Regarding
2 Proposed Order to Cease and Desist, Order for Restitution, for Administrative Penalties, and for
3 other Affirmative Action, Respondent Mattson requests the following:

4 1. That the Commission deny the relief and order requested by the Securities Division
5 with respect to Respondent Mattson.
6

7 2. That no restitution be ordered against Respondent Mattson.

8 3. That no administrative penalties be assessed against Respondent Mattson.

9 4. That no finding of any marital community liability of Respondent Mattson be
10 determined.

11 5. That any requested findings of fact by the Division be denied.

12 6. That this action be dismissed with respect to Respondent Mattson in his entirety.
13

14 Respondent Mattson has previously requested a hearing in this matter and continues to
15 request a hearing in this matter.

16 DATED this 16th day of February, 2009.

17 MITCHELL & ASSOCIATES
18 A Professional Corporation
19

20 By Julie Beauregard
21 Robert D. Mitchell
22 Julie M. Beauregard
23 Viad Corporate Center, Suite 1715
24 1850 North Central Avenue
25 Phoenix, Arizona 85004
26 Counsel for Defendant
27
28

1 ORIGINAL of the foregoing filed on or
2 about this 16th day of February, 2009 with:

3 Docket Control
4 Arizona Corporation Commission
5 1200 W. Washington Street
6 Phoenix, AZ 85007

7 COPIES of the foregoing e-mailed and/or regular mailed
8 on or about 16th day of February, 2009 to:

9 Aikaterine Vervilos, Esq.
10 Arizona Corporation Commission
11 Securities Division
12 1300 W. Washington Street, Third Floor
13 Phoenix, AZ 85007

14 *Jimie Beauregard*

15 mattson/pldgs/answer.doc